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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

MIRSAD HAJRO, JAMES R. MAYOCK,

Plaintiffs,

v.

UNITED STATES CITIZENSHIP AND
 IMMIGRATION SERVICES;

T. DIANE CEJKA, Director,
 USCIS National Records Center;
 ROSEMARY MELVILLE, USCIS District
 Director of San Francisco;

MICHAEL CHERTOFF, Secretary,
 Department of Homeland Security;
 MICHAEL B. MUKASEY, Attorney General
 Department of Justice,

Defendants.

No. C 08-1350 PVT

**FIFTH STIPULATION TO EXTEND
 DATES; and ~~PROPOSED~~ ORDER**

Plaintiffs, by and through their attorney of record, and Defendants, by and through their
 attorneys of record, hereby stipulate, subject to the approval of the Court, to the following:

1. Plaintiffs filed this action on or about March 10, 2008. The Defendants filed their response
 to Plaintiffs' amended complaint on June 23, 2008.

2. On January 23, 2009, the parties, with the support and encouragement of the mediator,
 asked this Court to vacate the February 10, 2009 hearing date on Defendants' Motion to Dismiss,
 and to hold this matter in abeyance for 60 days. That request was granted.

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1 4. The mediation is ongoing and the parties are, at minimum, trying to streamline the issues.

2 5. The parties respectfully ask for an additional 60 days in order to resolve this matter without
3 further litigation or in order to streamline the issues before the Court.

4 6. The parties also request that all trial dates be vacated at this time as it is likely that any
5 remaining issues can be resolved through cross-motions for summary judgment.

6 Dated: May 22, 2009

Respectfully submitted,

7 JOSEPH P. RUSSONIELLO
8 United States Attorney

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10 /s/
ILA C. DEISS¹
Assistant United States Attorney
11 Attorneys for Defendants

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13 Dated: May 22, 2009

/s/
14 KIP EVAN STEINBERG
Attorney for Plaintiffs

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16 **ORDER**

17 Pursuant to stipulation, IT IS SO ORDERED. On or before July 23, 2009, the parties will
18 either file a stipulated dismissal or request other appropriate relief. The pre-trial conference set for
19 June 2, 2009, and the trial date set for June 15, 2009, are hereby ~~vacated~~ CONTINUED to August 4,
20 2009 and August 17, 2009, respectively.

21 Date: 5/22/09

22 Patricia V. Trumbull
PATRICIA V. TRUMBULL
United States Magistrate Judge

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27 ¹I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures
28 indicated by a "conformed" signature (/s/) within this e-filed document.

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